IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.3879 OF 2004
IN
CRIMINAL APPEAL NO. 72 OF 2004

Vishnu Bhagwan Kadam .. Applicant

V/s.
The State of Maharashtra ..Respondent.

Smt. Revati Mohite-Dere for the applicant.
Mr. B.R. Patil, P.P. for the respondent.

CORAM : S.B. MHASE &
ANOOP V.MOHTA, JJ.

DATE : 22ND DECEMBER, 2004.

P.C.

. Heard Smt. Revati Mohite-Dere for the applicant and Mr. B.R. Patil, P.P. for the respondent.

2. The accused is convicted under Section 302 r/w 201 of Indian Penal Code and Section 25 of the Arms Act for life. As specifically stated in the order, para 1 by the 2nd Additional Sessions Judge, Satara, in Sessions Case No.90/2001, the accused was on bail during the trial. He has not mis-utilised the bail. Further, what we find is that initially the F.I.R. was registered against an unknown person and thereafter, the accused/applicant is named as a culprit along with other

three. However, the other three accused were acquitted. All this persuades us to suspend the sentence and grant bail.

3. The sentence passed by the 2nd Additional Sessions Judge, Satara in Sessions Case No. 90/2001 is hereby suspended til the hearing of the appeal. The applicant/accused be released on bail of Rs. 10,000/- with surety in the like amount.The applicant/ accused shall attend the concerned police station once in a month preferrably on 1st day of the month between 10 to 11 a.m.

[ANOOP V. MOHTA, J.] **[S.B.MHASE, J.]**